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TRANSLATION OF OFFICIAL LETTER

OFFICIAL LETTER OF PENDING PATENT APPLICATION UNDER EXAMINATION

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SYLLABUS :

In the matter of patent application No. 096109993 under examination, this Office considers that further clarification is needed, as set forth in Item 1 of the following Explanation. If the applicant has any concrete rebuttal evidence or responsive explanation, please submit them in duplicate to this Office within 3 months following the date of service. The TIPO shall proceed with the examination on the basis of the materials presently available in the event of the applicant's failure to act in accordance with the letter within the time limit.

EXPLANATIONS :

1. After examination, the present application is considered that:
   1.1 The present application, entitled "METHOD AND APPARATUS FOR OVERWRITING DATA ON RECORDING-MEDIUM AND THE RECORDING MEDIUM," has a total of 24 claims, where Claims 1, 10, 16, 21, and 23 are independent claims, and the rest are dependent claims. The subject application is not overlapped with the original patent application, and does not go beyond the scope of the specification or drawing disclosed in the original patent application. The subject application complies with Article 33 of the Patent Act, and the divisional application thus is allowed.

   1.2 Claim 16 fails to comply with Article 26, Paragraph 4 of the Patent Act.

      1.2.1 (Omitted in translation)—concerning a translational error in the Chinese

text of Claim 16.

1.3 According to the disclosure of Citation 1, Claims 1, 2, 6, 7, 10, and 11 fail to comply with Article 22, Paragraph 4 of the Patent Act.

1.3.1 Regarding Claim 1, Citation 1 discloses in Figs. 2, 3, and 8 a method of recording data on a recording medium including a user data area on which one or more recording ranges are allocated and a management area, the method comprising: receiving a command to record the data on a closed recording range, the closed recording range having no recordable position (col. 5, line 64-col. 6, line 64; Figs. 2, 3, and 8; element F1); selecting an open recording range having a recordable position from one or more open recording ranges on the user data area (col. 5, line 64-col. 6, line 64; Figs. 2, 3, and 8; element F2); and recording the data starting from the recordable position of the selected open recording range (col. 5, line 64-col. 6, line 64, col. 7, lines 31-43). Citation 1 does not specify recording the data starting from the recordable position of the selected open recording range, but Citation 1 discloses recording the data starting from the selected open recording area Bn+1 adjacent to the non-recorded area Bn (col. 5, line 64-col. 6, line 64, col. 7, lines 31-43). Claim 1 is a simple variation of related elements in Citation 1, thus lacking an inventive step.

1.3.2 Regarding Claim 2, Citation 1 discloses that the data is recorded sequentially from the recordable position of the selected open recording range (col. 7, lines 31-43). Therefore, Claim 2 lacks an inventive step.

1.3.3 Regarding Claim 6, Citation 1 discloses recording entry information in the management area, the entry information indicating a start address of the recorded area to which the command is made and a start address of the recordable position of the selected open recording range (col. 5, line 64-col. 6, line 10, col. 6, lines 17-27). Therefore, Claim 6 lacks an inventive step.

1.3.4 Regarding Claim 7, Citation 1 discloses that the selected open recording range is an open recording range nearest to the closed recording range (col. 5, line 64-col. 6, line 10, col. 6, lines 17-27). Therefore, Claim 7 lacks an inventive step.

1.3.5 Regarding Claim 10, Citation 1 discloses an apparatus for recording data on a recording medium including a user data area on which one or more recording ranges are allocated and a management area (Fig. 1), the apparatus comprising: a reading unit (col. 5, lines 36-50; Fig. 1; elements 14 and 16) recording the data on the recording medium; and a controller (col. 5, line 36-col. 6, line 64, col. 7, lines 31-43; Fig. 1; elements 11, 14, 15 and 16) receiving a command to record the data on a closed recording range, the closed recording range having no recordable position, the controller selecting an open recording range having a recordable position from one or

more open recording ranges on the user data area, and the controller controlling the reading unit to record the data starting from the recordable position of the selected open recording range. Citation 1 does not specify recording the data starting from the recordable position of the selected open recording range, but Citation 1 discloses that CPU 11, control circuit 14, and memory 15 write data into storage device 18 via interface circuit 16 and that record the data starting from the selected open recording area Bn+1 adjacent to the non-recorded area Bn (col. 5, line 36-col. 6, line 64, col. 7, lines 31-43; Fig. 1; elements 11, 14, 15 and 16). Claim 10 is a simple variation of related elements in Citation 1, thus lacking an inventive step.

1.3.6 Regarding Claim 11, Citation 1 discloses that the controller controls the recording unit to record the data sequentially from the recordable position of the selected open recording range (col. 7, lines 31-43). Therefore, Claim 11 lacks an inventive step.

1.4 No reasons for rejection are found for subject matter defined in the claims that are not pointed out in this Notification at the present stage. A further Notification will be issued to advise of new reasons of rejection, if any.

1.5 Cited Documents:
1. US 5,448,728

2. Any supplement and/or amendment effected to the subject application should comply with Rule 28 of the Enforcement Rules of the Patent Act. The Application Form for Supplement and/or Amendment should be submitted in duplicate if any supplement and/or amendment are made. Moreover, a mark-up version in duplicate showing changes made to the specification and a clean version of amended pages of the specification and/or drawings in triplicate for substituting the original should be submitted. The entire specification and/or drawings should be submitted in triplicate, in the case where the supplement and/or amendment results in discontinuity of the page numbers of the original specification and/or drawings.

3. If the applicant wishes to come to this Office for a personal demonstration or explanation, please denote "Apply for Interview" in the response and an official fee of NT$1,000 should be paid at the same time. The venue and time of the "interview" will be further arranged should this Office deem it necessary.

4 Enclosed is a copy of Search Report.

Intellectual Property Office
Ministry of Economic Affairs

WHAT IS CLAIMED IS:

1. A method of recording data on a recording medium including a user data area on which one or more recording ranges are allocated and a management area, the method comprising:

receiving a command to record the data on a closed recording range, the closed recording range having no recordable position;

selecting an open recording range having a recordable position from one or more open recording ranges on the user data area; and

recording the data starting from the recordable position of the selected open recording range.

2. The method of claim 1, wherein the data is recorded sequentially from the recordable position of the selected open recording range.

3. The method of claim 1, further comprising:

checking management information recorded on the management area to select the open recording range for recording the data, the management information including a list of the one or more open recording ranges.

4. The method of claim 1, further comprising:

checking the last recorded position of the selected open recording range.

5. The method of claim 4, wherein the recordable position of the selected open recording range indicates the first sub-recording unit of the first recording unit following the last recorded position of the selected open recording range.

6. The method of claim 1, further comprising:

recording entry information in the management area, the entry information indicating a start address of the recorded area to which the command is made and a start address of the recordable position of the selected open recording range.

7. The method of claim 1, wherein the selected open recording range is an open recording range nearest to the closed recording range.

8. The method of claim 1, wherein the selecting step selects the first open recording range from the one or more open recording ranges.

9. The method of claim 1, wherein the recording step is continued in another open recording range if the selected open recording range does not include an unrecorded area large enough for the data.

10. An apparatus for recording data on a recording medium including a user data area on which one or more recording ranges are allocated and a management area, the apparatus comprising:

a reading unit recording the data on the recording medium; and

a controller receiving a command to record the data on a closed recording range, the closed recording range having no recordable position, the controller selecting an open recording range having a recordable position from one or more open recording ranges on the user data area, and the controller controlling the reading unit to record the data starting from the recordable position of the selected open recording range.

11. The apparatus of claim 10, wherein the controller controls the recording unit to record the data sequentially from the recordable position of the selected open recording range..

12. The apparatus of claim 10, wherein the controller checks management information recorded on the management area to select the open recording range for recording the data, the management information including a list of the one or more open recording ranges.

13. The apparatus of claim 10, wherein the controller checks the last recorded position of the selected open recording range from management information recorded on the management area, and controls the recording unit to record the data from the first sub-recording unit of the first unrecorded recording unit following the last recorded position.

14. The apparatus of claim 10, wherein the controller selects an open recording range nearest to the closed recording range.

15. The apparatus of claim 10, wherein the controller selects the first open recording range from the one or more open recording ranges.

16. A recording medium comprising:

a user data area on which one or more recording ranges are allocated, each recording range is one of an open recording range having a recordable position and a closed recording range having no recordable position; and

a management area on which management information for the recording ranges is recorded,

wherein an open recording range is selected from one or more open recording ranges on the user data area if a command to record data is made to a closed recording range on the user data area, and the data is recorded starting from the recordable position of the selected open recording range.

17. The recording medium of 16, wherein the management information includes a list of the one or more open recording ranges.

18. The recording medium of 16, wherein the management information includes the last recorded position of each recording range allocated on the user data area.

19. The recording medium of 16, wherein the recordable position of the selected open recording range indicates the first sub-recording unit of the first unrecorded recording unit following the last recorded position of the selected open recording range.

20. The recording medium of 16, wherein the management area further includes entry information which indicates a start position of an recording area specified by the command and a start position of the recordable position, from which the data is recorded, of the selected recording range.

21. A method of reproducing data recorded on a recording medium including a user data area on which one or more recording ranges are allocated, each recording range being one of an open recording range having a next recordable position and a closed recording range having no next recordable position, and a management area, the method comprising:

receiving a reproducing command to reproduce first data recorded in a first area of a recording range; and

reproducing second data recorded in a second area replacing the first area,

wherein the recording range including the first area is a closed recording range, the first and second areas are managed by entry information.

22. The method of claim 21, wherein the reproducing step comprise:

checking the entry information recorded in the management area to reproduce the second data recorded in the second area, the entry information indicating a start position of the first area and a start position of the second area.

23. The apparatus for reproducing data recorded on a recording medium including a user data area on which one or more recording ranges are allocated, each recording range being one of an open recording range having a next recordable position and a closed recording range having no next recordable position, and a management area, the apparatus comprising:

a reproducing unit reproducing the data from the recording medium; and

a controller receiving a reproducing command to reproduce first data recorded in a first area of a recording range, and the controller controlling the reproducing unit to reproduce second data recorded in a second area replacing the first area,

wherein the recording range including the first area is a closed recording range, the first and the second areas are managed by an entry information.

24. The apparatus of claim 23, wherein the controller checks the entry information recorded in the management area to reproduce the second data recorded in the second area, the entry information indicates a start position of the first area and a start position of the second area.